

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DONNELLY J. LE BLANC

Petitioner,

v.

ERIC TICE, et. al.

Respondents.

CIVIL ACTION
NO. 16-1044

ORDER

AND NOW, this 9th day of December 2016, upon consideration of the Petition for Writ of Habeas Corpus (Doc. No. 1), the Report and Recommendation by United States Magistrate Judge Jacob P. Hart (Doc. No. 21), the Petitioner's Objections to Report and Recommendation (Doc. No. 25), Petitioner's Amplification and Clarification of Objections (Doc. No. 27), and after a thorough and independent review of the record, it is **ORDERED** that:

1. The Report and Recommendation of Magistrate Judge Hart (Doc. No. 21) is hereby **APPROVED** and **ADOPTED**;
2. The Petition for Writ of Habeas Corpus (Doc. No. 1) is **DENIED**;
3. Defendant's Motion for Appointment of Counsel (Doc. No. 28) is **DENIED as MOOT**;
4. A Certificate of Appealability **SHALL NOT** be issued based on the analysis contained in the Magistrate Judge Hart's Report and Recommendation, as approved and adopted by this Court, that a reasonable jurist could not conclude that the Court is incorrect in denying and dismissing the Writ of Habeas Corpus; and

5. The Clerk of Court shall close this case for statistical purposes.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.